Public Service (1948) Department.

SERIES.

G.O. No. 153.

1384

Dated 1-6-1948

[Despatch Abstract.]

Legislative Council's Session - Journal - February, 1948 - Law a
Act - Amendments - passed at End 1947 - Number of persons
affected etc. - Any [illegible] -

BENNING OF COMMUNAL ORGANIZATIONS.

*129 Q--SRI V. RAGHAVAYYA: Will the Hon. the Home Minister be pleased to state--

(a) the total number of detenus detained inconnextion with the bannigng of communal organizations; how many belong to the R.S.S.S. and how many to the Hindu Mahasabha;

(b) What is the treatment given to them in jail;

(b) whether the Government are going to make any detailed enquiry into the allegations against them;

(d) whether any material has been found incriminating them and connecting them with the assassination of Mahatma Gandhi; and

(e) why have some prominent R.S.S.S. men been arrested and released immediately?

THE HON. DR. P. SUBBARAYAN:--"(a) The number of persons detained is 345 of whom 294 belong to the R.S.S.S. and none to the Hindu Mahasabha.

"(b) The treatment that will be accorded to these detenus is laid down in the Security Prisoners Rules framed under the Madras Maintenance of Public Order Act, 1947.

"(c) As they are detained under the Madras Maintenance of Public Order Act, 1947, the procedure prescribed in the Act will be followed.

"(d) Some materials have been seized and the matter is under examination.

"(e) Some persons connected with the R.S.S.S. were released as the Government were satisfied that release would not be prejudicial to public safety."

SRI V. RAGHAVAYYA:--"Sir, in view of the very large number of releases soon after arrest, may I know if the Government and are aware of the impression that is gaining ground in the public that the Government ~~Government~~ have got into a mire by unnecessarily getting into a panic and arresting several innonent people who should not have been arrested?"

The Hon. Dr. P. Subbarayanan:- "I do not grant all that has been said by the hon. Gentleman in framing his supplementary question."

SRI V. M. RAMASWAMI MUDALIYAR:- "May I ask whether the Government realize that in making wholesale arrests of R.S.S.S. men under the Public Safety Order, the personal liberty of the individual is much curtailed and that is it necessary that their case should be investigated by an impartial tribunal as early as possible?"

THE HON. DR. P. SUBBARAYANA:--"I do not grant the hon. Gentleman's premises, but arrests were made in the interests of the State and the State is taking into consideration what would be in consonance with public safety in the release of all these people."

SRI P. KANDASWAMI PILLAI:--"May I know, Sir, whether all the R.S.S.S. people were arrested under the orders of the Central Government or the Provincial Government?"

THE HON. DR. P. SUBBARAYAN:- "Well, Sir, this is a matter between the Government of India and the Madras Government which I am not prepared to divulge."

SRI D. V. RAMASWAMI:-"May I know, Sir, whether representations on behalf of three innoncent students of Vizagapatam have been reeeived by the Hon. Minister and whether the parents of

parents of the children have also given the certificate of the heads of the respective institutions, and in case, what action the Government may take in the case of the students?"

THE HON. DR. P. SUBBARAYAN:--"Every case is ... and I cannot take the matter any further."

SRI S. NAGAPPA:--"May I know, Sir, whether the Government will consider the desirability of releasing those persons who are prepared to give an undertaking that they will not take any part in this organisation hereafter?

THE HON. DR. P. SUBBARAYAN:- "Your undertaking is not enough, because the Government will have to consider the interests of the State as a whole."

SRI V. I. MUNISWAMI PILLAI:--"May I know, Sir, whether the Government are examining the case of a certain person of Conjeevaram about whom many representations have been made to the Government?"

THE HON. DR. P. SUBBARAYAN:--"As I have already stated, all cases are being examined with utmost care.

BEGUM SULTAN MIR AMIRUDDIN:--"May I know, Sir, whether the Advisory Council as envisaged by the Public Safety Act, 1947, has been constituted by the Government to examine the cases of detenus?"

THE HON. DR. SUBBARAYAN:--"Yes, the Advisory Committee is already in existence and Mr. Justice ... we have got the Hon. Justice Govindarajachari ... Chairman."

BEGUM SULTAN MIR AMINUDDIN:--"May I know, Sir, whether this Advisory Council is functioning?"

THE HON. DR. P. SUBBARAYAN:--"Well, it has ... to function because all the people who were arrested at that time were released. Now, a situation ... arises ... naturally the Advisory Council will function.

SRI KALLUR SUBBA RAO:--"May I know, Sir, whether the Hon. Home Minister is aware of the resolution passed by the District Congress Committees in the State ... last that the R.S.S. people were creating ... among the people and that they must be banned?"

THE HON. DR. P. SUBBARAYAN:--"The R.S.S. ... already been banned and naturally opinions ... by the District Congress Committees will be taken ... consideration in the matter of the release of these people."

SRI B. S. MURTHI:--"Will the Government consider the desirability of releasing some of those detenus who are prepared to give an undertaking or on behalf of whom undertaking can be given by the principals or parents, so as to enable them to appear for their examinations which are fast approaching?"

THE HON. DR. P. SUBBARAYAN:-_"Well, Sir, the hon. Gentleman would have seen that so far as students are concerned, the Government have released them on parole in order to enable them to study for their examinations and prepare for them."

SRI A. KALESWARA RAO:--"May I know, Sir, whether the Government is following the same procedure with regard to detention and release of R.S.S. and Muslim National Guards?"

THE HON. DR. P. SUBBARAYAN:-_"The same considerations apply to all those who ... [illegible] /end :-

under detained under the Public Maintenance of Order Act."

SRI P. KANDASWAMI PILLAI:--"May I know, Sir when the R.S.S. Association is banned, whether they are entitled to assembly in a particular place and secretly discuss the progress of their association?"

THE HON. DR. P. SUBBARAYAN:--"Well, Sir, they cannot because they are under a ban; if they do so, I am sure the Police know their duties."

SRI G. KUMARASWAMI:--"May I know, Sir, if there are any under detention who have already expressed regret but who have not yet been released till now?"

THE HON. DR. P. SUBBARAYAN:--"The hon. Gentleman would have seen that as many as 128 have been so far released and the other cases are under consideration."

SRI V. RAGHAVAYYA:--"May I know whether the Government are aware of the recent Bombay High Cour's decision to the effect that arrests and detention of these persons without framing any charge is out of order and illegal and if so, what procedure has been adopted by this Government and may I know whether they were served with any order in advance or are they arrested in advance?"

THE HON. DR. P. SUBBARAYAN:--"The reasons for arrest are being given to all those persons."

SRI D. V. RAMASWAMI:--"In view of the fact that examinations are to be held this month and there is hardly two weeks for the examinations to commence and the students cannot read and prepare for the examinations while they are in jails, may I know whether the Government would be pleased to release them at least now?"

THE HON. DR. P. SUBBARAYAN:--"Well, Sir, I have already explained that students who have got to sit for examinations have been released on parole pending consideration of their case inorder to neable them to study for their examinations and prepare for them."

MOHAMED RAFEEUDIN AHMAD ANSARI SAHIB BAHADUR:--"May we take it, Sir, that arrests of R.S.S. and Muslim National Guards has come to an end or are there going to be further arrests?"

THE HON. DR. P. SUBBARAYAN:--"Well, Sir, I am not a prophet."

SRI S. NAGAPPA:--"May I know, Sir, by whom each and every case is being examined; is there any Court of enquiry or Tribunal?"

THE HON. DR. P. SUBBARAYAN:--" If the hon. Gentleman had read the Public Safety Act, he would have found that there is a tribunal before which these cases will be put; even before that time, the Government have been examining cases which, in their opinion, might PRIMA FACIE help release of those people and they are being released on such consideration."

SRI KALLUR SUBBA RAO:- "May I know from the Government, Sir, as number of young people have joined the R.S.S. organization only for physical culture training; and whether the Government would start any scheme for physical education rather than give them up to be exploited by communalists and communists?"

THE HON. DR. P. SUBBARAYAN:--"Well, Sir this question could profitably be put to my Hon. Colleague the Minister for Education ."

SRI V. M. RAMASWAMI MUDALIAR:--"May I ask whether

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whether the Government can give any definite time when the Tribunal will consider the case of the persons imprisoned under the Public Safety Act?"

THE HON. Mr. P. SUBBARAYAN:--"I hope as soon as possible."

The starred question in p.1.c.f. was answered on the floor of the Lgr. Assembly on 11-5-48 by the then H.M.(Home) - please see the cuttings from the Assembly's printed proceedings at pp.7-13 c.f. No further action is necessary on this file. The papers may be recorded in a MS. G.O. for facility of future reference.

(Sd.) xxx
28-5-48.

G.O.Ms.No.1334, dated 1.6.1948.

L.A.Q. - Starred question - Feb.1948 - Law and Order - Maintenance - Madras Act I of 1947 - Number of persons arrested etc. - Papers recorded -

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29/7/54